

SIXTY-FOURTH DAY

(Wednesday, May 8, 1957)

The Senate met at 9:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Martin was granted leave of absence for today on account of illness on motion of Senator Roberts.

Senate Resolution 508

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Honorable Paul Wylie, County Attorney for Archer County, and Judge Royce Adkins, District Attorney for the 39th Judicial District, Haskell, Texas; and

Whereas, We desire to welcome these distinguished guests to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended an official welcome.

The resolution was read and was adopted.

House Bill 527 on Second Reading

Senator Moffett asked unanimous consent to suspend the regular order of business and take up H. B. No. 527 for consideration at this time.

There was objection.

Senator Moffett then moved to suspend the regular order of business and take up H. B. No. 527 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Krueger	Smith
Lane	Wood
Lock	

Nays—1

Willis

Absent

Fuller	Kazen
Gonzalez	Weinert

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 527, A bill to be entitled "An Act amending Section 3, Section 9 (A), Section 10, Section 12, Section 13, Section 17, Section 19, Section 19 (A), and Section 21, of Chapter 318, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended by Chapter 324, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended by Chapter 170, Acts of the Fifty-third Legislature, Regular Session, 1953, as amended by Chapter 520, Acts of the Fifty-fourth Legislature, Regular Session, 1955; providing for the issuance of negotiable bonds not exceeding the aggregate sum of Two Hundred Million (\$200,000,000) Dollars to mature not later than forty

(40) years from their date; providing that any bonds previously issued shall mature in accordance with their provisions; providing for the signatures and seal to be placed on the bonds; providing that for each year until December 1, 1965, sufficient money shall be set aside to pay the interest and principal due on all bonds, therefore issued and outstanding, and after December 1, 1965, all moneys received, or so much thereof as may be necessary, shall be used to pay the principal and interest on all outstanding bonds; providing that until December 1, 1965, the Veterans' Land Fund, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Willis asked to be recorded as voting "Nay" on the passage of H. B. No. 527 to third reading.

House Bill 527 on Third Reading

Senator Moffett moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 527 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Wood

Nays—1

Willis

Absent

Fuller	Weinert
Gonzalez	

Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Wood

Nays—1

Willis

Absent

Fuller	Weinert
Gonzalez	

Absent—Excused

Martin

House Bill 914 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 914, A bill to be entitled "An Act amending Chapter 243, Acts of the 53rd Legislature, Regular Session, 1953, so as to eliminate the present requirement that charges and rates for water furnished cities and towns of the District shall be uniform regardless of the distance from the source, and to provide that such charges and rates and any penalties to be imposed in connection therewith shall be fixed by unanimous vote of the District's Board of Directors; ratifying, confirming and validating (a) the District and its organization; (b) all acts and proceedings heretofore accomplished by its Board of Directors; (c) all elections heretofore held and bonds heretofore voted in the District; (d) all water supply contracts heretofore authorized and executed on behalf of the District; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 914 on Third Reading

Senator Smith moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 914 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Fuller	Gonzalez
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Absent—Excused

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Fuller	Gonzalez
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Absent—Excused

Martin

Senate Resolution 510

Senator Aikin offered the following resolution:

Whereas, We are honored today to have in the gallery the Fifth Grade Class of Pease School of Austin, Texas, accompanied by their teacher, Miss Waldine Hunter; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

AIKIN

HERRING

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented the students, including Bobbie Aikin, his son, and Jim Martin, son of Senator Martin, and Miss Hunter to the Members of the Senate.

Senate Resolution 511

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 3rd grade class of Casis Elementary School in Austin, Travis County, Texas, accompanied by their teachers, Mrs. Marbeth Sloan and Miss Martha Davison; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and

commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teachers to the Members of the Senate.

House Bill 70 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. B. No. 70 for consideration at this time.

There was objection.

Senator Reagan then moved to suspend the regular order of business and take up H. B. No. 70 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Secrest
Krueger	Smith
Lock	Willis
Moffett	Wood
Moore	

Nays—5

Ashley	Lane
Fly	Rogers
Hardeman	

Absent

Fuller	Hazlewood
Gonzalez	Weinert

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 70, A bill to be entitled "An Act to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas in cities in this state; and providing a ref-

erendum in certain instances; etc.; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. 70 by changing the period at the end of subsection (g) of Section 7 to a semicolon and adding the following:

"provided further that if any owner of property in such area agrees to use such property in a manner not inconsistent with the purposes of the Urban Renewal Plan and the improvements on such property do not constitute a fire or health hazard, then such property shall not be subject to the powers of eminent domain. Any property owner shall have the right to contest before the City Council such powers of eminent domain as respects his individual ownership and shall have the right of appeal to the District Court with a trial de novo."

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend H. B. No. 70 by adding a new section thereto to be numbered Sec. 22 and renumbering the succeeding sections to read as follows:

"Provided, however, the original owner from which property was acquired hereunder by condemnation or through the threat of condemnation, shall have the first right to repurchase at the price at which same shall be offered."

The amendment was adopted.

On motion of Senator Reagan and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Votes

Senators Hardeman and Ratliff asked to be recorded as voting "Nay" on the passage of H. B. No. 70 to third reading.

Motion to Place House Bill 70 on Third Reading

Senator Reagan moved that Sen-

ate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 70 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—22

Aikin	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hazlewood	Reagan
Herring	Roberts
Hudson	Secrest
Kazen	Smith
Krueger	Willis

Nays—7

Ashley	Rogers
Hardeman	Weinert
Lane	Wood
Ratliff	

Absent

Fly

Absent—Excused

Martin

Senate Resolution 512

Senator Hardeman offered the following resolution:

Whereas, We have as a visitor in the Senate John Ratliff, son of our distinguished colleague Hon. David Ratiff; and

Whereas, It is the desire of the Senate to utilize the services of this young Texan as an Honorary Page of the Senate; now, therefore, be it

Resolved by the Senate, that John Ratliff be and he is hereby designated an Honorary Page of the Senate.

The resolution was read and was adopted.

Senate Resolution 513

Senator Owen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Luther L. Herring of Waco, father of our distinguished colleague; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and that he have the privileges of the floor.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented Mr. Herring to the Members of the Senate.

(Senator Hardeman in the Chair.)

Motion to Place House Bill 371 on Second Reading

Senator Fly asked unanimous consent to suspend the regular order of business and take up H. B. No. 371 for consideration at this time.

There was objection.

Senator Fly then moved to suspend the regular order of business and take up H. B. No. 371 for consideration at this time.

The motion was lost by the following vote:

Yeas—9

Bracewell	Owen
Bradshaw	Parkhouse
Fly	Smith
Hudson	Weinert
Moffett	

Nays—19

Aikin	Lane
Ashley	Moore
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Willis
Krueger	

Absent

Lock	Wood
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Absent—Excused

Martin

Senate Resolution 514

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 6th grade class of the Elgin Elementary School in Elgin, Bastrop County, Texas, accompanied by their teachers, Mrs. Eleanor Ruth Frost and Mrs. Esther Gustafson; and

Whereas, These students are on an educational tour of the Capitol Building and Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teachers to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 176, A bill to be entitled "An Act relating to petit juries in counties using the jury wheel; amending Articles 2097 and 2099 of the Revised Civil Statutes of Texas, 1925, relating to the preparation and delivery of lists of petit jurors; and to disposition of the cards containing the names of the jurors; and declaring an emergency."

H. B. No. 177, A bill to be entitled "An Act relating to petit juries in counties using the jury wheel; amending Article 2096 of the Revised Civil Statutes of Texas, 1925, so as to permit the drawing of additional lists of petit jurors during a term of court; and declaring an emergency."

H. B. No. 244, A bill to be entitled "An Act increasing certain fees chargeable by Clerks of the District Courts under Article 3927, Revised

Civil Statutes of Texas, 1925, as amended by Acts of 1941, 47th Legislature, Page 641, Chapter 387, Section 1, as amended by Acts of 1945, 49th Legislature, Page 662, Chapter 368, Section 3, Article 3928, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1941, 47th Legislature, Page 641, Chapter 387, Section 2; Article 4499, Revised Civil Statutes of Texas, 1925, as amended by Acts of 1953, 53rd Legislature, Page 1029, Chapter 426, Section 2, so as to increase such fees in an amount equal to fifty per cent (50%) computed to the largest even cent, of the fees chargeable under such laws as they existed on January 1, 1957, providing that such increased fees shall not inure to the benefit of any individual, but in counties operating on a salary basis, the same shall go into the Officers Salary Fund, and in counties operating on a fee basis, the same shall be accounted for to such counties as fees of office; repealing all laws in conflict herewith and declaring an emergency."

H. B. No. 290, A bill to be entitled "An Act to amend Article 7987 of the Revised Civil Statutes of Texas, 1925, as amended, so as to increase the compensation of "district supervisors" of levee improvement districts to be fixed by the Commissioners Courts; and declaring an emergency."

H. B. No. 324, A bill to be entitled "An Act amending Chapter 59, Acts of the 39th Legislature, 1925, as Amended (codified as Article 2922a of Vernon's Texas Civil Statutes), by giving county school trustees power to annex one or more rural high school districts having less than two hundred fifty (250) scholastic population to a common school district having four hundred (400) or more scholastic population or to an independent school district having two hundred fifty (250) or more scholastic population; repealing conflicting laws; and declaring an emergency."

H. B. No. 400, A bill to be entitled "An Act concerning the State Commission for the Blind, amending Section 1, Chapter 80, Page 122, Acts of the 42nd Legislature, Regular Session, 1931, as amended, providing that two of the appointments by the Governor to the Commission be two reputable blind citizens of the State, instead of having such appointments

being made only from graduates of the Texas School for the Blind; and declaring an emergency."

H. B. No. 478, A bill to be entitled "An Act to amend Article 3.39 of Chapter 3 of the Insurance Code (Acts of 1951, 52nd Legislature, as amended by the Acts of 1955, 54th Legislature, Page 916, Chapter 363, Section 12) to regulate the investment of the funds of life insurance companies; and declaring an emergency."

H. B. No. 479, A bill to be entitled "An Act to amend Article 3.12 of Chapter 3 of the Insurance Code (Acts 1951, 52nd Legislature, Regular Session) so as to provide no "domestic" company shall pay to any of its officers, trustees, or directors a salary, compensation or emolument, or pay any such salary, compensation or emolument to any person, firm or corporation, amounting in any one year to more than Ten Thousand (\$10,000.00) Dollars, unless such payment be first authorized by vote of the board of directors of such company or by a committee of such board with authority to authorize such payment; providing for exception in favor of the payment of renewal commission to agents; to permit the stockholders of "domestic" life insurance companies to authorize the inauguration of a plan or plans for the payment of pensions, retirement or group insurance to its officers and employees; to provide that the stockholders may delegate to the board of directors authority and responsibility for the preparation, inauguration, putting into effect, final approval and administration of any such plan or plans or any amendment thereof; conferring the same discretion, authority, privileges and rights upon mutual companies as are conferred upon "domestic" companies under subparagraph (b); and to declare an emergency."

H. B. No. 582, A bill to be entitled "An Act relating to the situs of personal property of domestic insurance companies for the purpose of taxation; amending Article 3.15, 3.16 and 4.01 of the Insurance Code, so as to place the situs of certain tangible personal property of all types of insurance companies organized under the laws of this State at the place where such property is located, and

to place the situs of all other personal property at the principal place of business of the company."

H. B. No. 638, A bill to be entitled "An Act granting to the City of Corpus Christi, Texas, certain land submerged and unsubmerged lying within an area known as Tract C as shown on a map entitled Sheet No. 1, Laguna Madre, Subdivision for Mineral Development, dated November 1, 1948, and revised September 1, 1951, by addition of "Cayo Del Oso" subdivision, prepared by the General Land Office of the State of Texas; providing certain limitations, conditions and restrictions on the development of said land and on the transfer and conveyance thereof; modifying requirements heretofore imposed by the terms of House Bill 743, Chapter 294, General and Special Laws of Texas, Acts of the 54th Legislature, Revised Statutes, 1955; providing that failure of the City of Corpus Christi or its grantees to comply with the conditions herein imposed shall cause title to said land to revert to the State of Texas; reserving all mineral interests to the State of Texas; declaring that the Act shall be cumulative of former grants and authorities; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 682, A bill to be entitled "An Act to amend Article 3935 Revised Civil Statutes of Texas, 1925, relating to fees allowed Justices of the Peace, containing a repealing clause, a saving clause, and declaring an emergency."

H. B. No. 683, A bill to be entitled "An Act amending Article 3933 Revised Civil Statutes of Texas, 1925, as amended by Acts 1937, 45th Legislature, page 437, Section 1 as amended by Acts 1945, 49th Legislature, page 662, Chapter 368, Section 5 raising certain fees for Sheriffs and Constables and repealing all laws herewith and conflict herewith and declaring an emergency."

H. B. No. 684, A bill to be entitled "An Act repealing the provisions of Article 3912e, Section 19q, as amended by Chapter 205, House Bill 856, of the 54th Legislature, which requires all fee officers to make annual reports to the State Auditor, on forms designed by the State Auditor; and declaring an emergency."

H. B. No. 686, A bill to be entitled "An Act to amend Article 1064 of the Code of Criminal Procedure of the State of Texas, relating to fees allowed the Clerks of the County and District Courts for their services, containing a repealing clause, a savings clause, and declaring an emergency."

H. B. No. 691, A bill to be entitled "An Act enabling cities to create Hospital Authorities, without taxing power; defining terms used in the Act; prescribing the procedure to be followed in creating such Authorities each to serve one or more cities, the method of appointing directors and election of officers, their powers and duties; restricting the territory of an Authority to boundaries of the City or Cities creating it; providing for the issuance of Authority's revenue bonds after notice and opportunity for referendum election; prescribing the details for issuance, approval and sale of such bonds and the use to be made of the proceeds; providing for selection of depositories; exempting Authority's property from taxation; conferring the power of eminent domain; providing for investment of funds; conferring the power to accept donations; prescribing a severability clause; enacting other provisions related to the subject; and declaring an emergency."

H. B. No. 721, A bill to be entitled "An Act making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in Comal County at any time; to take, kill, or trap any fur-bearing animal in said county; to take or attempt to take any fresh water fish in said county by any means or method; prescribing the legislative policies with respect to the wildlife resources of said county; conferring upon the Game and Fish Commission power and authority to regulate by provision, order, rule, or regulation the taking of wildlife resources of said county; requiring the Game and Fish Commission to make investigations with respect to depletion and waste of the wildlife resources of said county; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wildlife resources of said county; defining depletion and waste; providing for the issuance of the antlerless permits; providing for a public

hearing to be held in Comal County and for adequate notice of such hearing and for proper conducting of such hearing; providing for the adoption of the proclamations, orders, rules, or regulations of the Game and Fish Commission; providing for the effective period of regulations; providing for the publication of the regulations; providing that the powers of the Commission are not limited; providing venue for suit to test the validity of the proclamations, rules, regulations, or orders of the Commission; providing a penalty for the violation of any of the provisions of this Act as well as any order, rule, or regulation of the Commission; providing for the forfeiture of licenses; making it unlawful to provide a new license and providing a penalty therefor; defining wildlife resources; repealing certain laws; providing for the effective date of this Act; providing a saving clause and declaring an emergency."

H. B. No. 741, A bill to be entitled "An Act amending Section 1 of Chapter 47, Acts of 1951, Fifty-second Legislature, Regular Session, by further enlarging the purposes for which school bond proceeds may be used; prescribing a severability provision; and declaring an emergency."

H. B. No. 749, A bill to be entitled "An Act setting the deer season in Jasper, Newton and Tyler Counties; repealing all laws in conflict; providing a severability clause; and declaring an emergency."

H. B. No. 751, A bill to be entitled "An Act setting the dove and quail season in Jasper, Newton and Tyler Counties; repealing all laws in conflict; and providing a severability clause."

H. B. No. 791, A bill to be entitled "An Act amending Chapter 206, Acts of the 50th Legislature, as amended (Article 326k-12, Vernon's Texas Civil Statutes), by adding a new section authorizing the purchase and maintenance of automobiles by the county for use of the District Attorney or Criminal District Attorney and his assistants and investigators in the judicial districts included in that Act; and declaring an emergency."

H. B. No. 810, A bill to be entitled "An Act reorganizing the 27th, 33rd, and 52nd Judicial Districts; transferring Lampasas County from the

27th to the 33rd Judicial District, and transferring Mills County from the 27th to the 52nd Judicial District; providing for the terms of court in each of the counties of these districts; and making other provisions incidental to the reorganization of the districts."

H. B. No. 915, A bill to be entitled "An Act relating to hunting of squirrel and deer in Angelina and Trinity Counties; amending Acts of the 53rd Legislature, Regular Session, 1953, Chapter 398, Section 1, Acts of the 49th Legislature, Regular Session, 1945, Chapter 114, Section 2, and Article 880, Revised Penal Code of Texas, 1925; and declaring an emergency."

H. B. No. 902, A bill to be entitled "An Act providing for the transfer of title to certain lands to the State Highway Commission consisting of a tract or parcel lying along and parallel to Harbor Island and adjacent to Corpus Christi Bay, now owned by the State of Texas containing 380.2 acres, more or less, of Islands, submerged land, and tidewater flats situated under the waters of Corpus Christi Bay, about Latitude 97°05' North and Chart No. 523, necessary for the building of State Highway No. 361; providing that this conveyance shall not interfere nor conflict with the rights of the State Game and Fish Commission, except that the State Highway Department shall have the right to take materials from said tract without compensation therefor; and declaring an emergency."

H. B. No. 916, A bill to be entitled "An Act amending Section 1 of Chapter 297, Acts of the 52nd Legislature, 1951, which prohibits the use of nets and seines and otherwise regulates the taking of fish in certain counties, by eliminating Angelina County from its provisions and declaring an emergency."

H. B. No. 919, A bill to be entitled "An Act amending Article 5845, Revised Civil Statutes of Texas, as amended by Acts of 1949, 51st Legislature, page 1172, Chapter 586, providing for hospitalization and medical and surgical care for members of the military forces of this State who shall be wounded, disabled, or injured, or who shall contract disease or illness in line of duty while in the service of this State, providing for

transportation expenses incident thereto, providing for continuation of pay and allowances, providing for funeral expenses and accrued pay and allowances to be paid to the estate in the event of death, providing for administration by the Adjutant General under rules and regulations which he may prescribe, making an appropriation, providing for severability, repealing inconsistent provisions of other laws and declaring an emergency."

H. B. No. 924, A bill to be entitled "An Act relating to the hunting, taking, or killing of deer in Duval County; prescribing an open season for Duval County; fixing a penalty; and declaring an emergency."

H. B. No. 926, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools, acting by the Executive Director thereof, to execute and deliver to the Kaufman-Van Zandt County Soil Conservation District an easement to certain land in Kaufman County, Texas, for the construction of an earthen dam extending along and across certain State property known as Terrell State Hospital; and declaring an emergency."

H. B. No. 928, A bill to be entitled "An Act pertaining to the use and possession of fishing gear and devices for taking fish or shrimp in the tidal waters of Mesquite Bay and contiguous and connecting waters and in the Gulf of Mexico and along the Gulf Beach within a radius of one mile from the mouth of Cedar Bayou where it enters the Gulf, in Aransas and Calhoun Counties of the State of Texas, comprising the Mesquite Bay-Cedar Bayou Closed Area Sanctuary, as herein particularly described and defined; providing for the seizure and destruction of any fishing gear or device found in said waters, or on the land within the defined areas unattended or in possession or being used in violation of any of the provisions of the Act; providing a saving, repealing and emergency clause."

H. B. No. 929, A bill to be entitled "An Act increasing the jurisdiction of County Court at Law No. 1 and County Court at Law No. 2 of Nueces County, Texas, so as to confer on said courts concurrent jurisdiction with the County Court of Nueces

County over matters of eminent domain and probate proceedings; amending Acts 1949, 51st Legislature, Page 692, Chapter 362, amending Acts 1954, 53rd Legislature, First Called Session, Page 42, Chapter 14; providing that the County Clerk of Nueces County shall continue to be the Clerk of the County Court; providing that the Constitutional jurisdiction of the County Court shall not be diminished by the provisions of this Act; providing for the severability of the several sections hereof; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 931, A bill to be entitled "An Act fixing the open and closed seasons for squirrels in Montgomery County, Texas; providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

H. B. No. 932, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution of Texas, to be known as 'Lakeside Water District of Tarrant County,' prescribing its powers and duties and providing for a governing body thereof; making the District subject to the statutes relating to water control and improvement districts except as otherwise provided; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 936, A bill to be entitled "An Act amending House Bill No. 144, Acts, 53rd Legislature, 1953, so that in the Thirty-fourth Judicial District of Texas the maximum salary of the District Attorney shall be fixed at not to exceed Eleven Thousand (\$11,000.00) Dollars, and the maximum salary of the Assistants and Investigators shall not exceed Seven Thousand Five Hundred (\$7,500.00) Dollars for the First Assistant District Attorney and Seven Thousand (\$7,000.00) Dollars for any other Assistant District Attorneys and Investigators in said District; containing a severability clause; and declaring an emergency."

H. B. No. 937, A bill to be entitled "An Act providing for a closed season in Matagorda and Brazoria Counties upon wild turkey until April 30, 1963; providing a penalty; and declaring an emergency."

H. B. No. 939, A bill to be entitled "An Act relating to cities which have annexed territory within water control and improvement or supply districts, where such district lies in more than one city; providing that such cities shall succeed to the powers, duties, assets and obligations of such districts; providing that such districts may be abolished by mutual agreement of the cities wherein such district lies; providing such cities may issue refunding bonds in its own name to refund any obligations assumed by it; making other provisions relating thereto; and declaring an emergency."

H. B. No. 940, A bill to be entitled "An Act creating a Juvenile Court and a Court of Domestic Relations in Dallas County, Texas; providing the terms and jurisdiction of said courts; providing for the appointment, election and term of office of said Judges; prescribing the powers, duties and compensation of the Judges of said courts; providing for the appointment, compensation and designation of other officers of said courts; providing for transfer of cases and filing of cases in the Juvenile Court and in the Court of Domestic Relations; providing for the services of certain county and district officers of said courts; providing for the issuance of writs and punishment for contempt; providing for appeals to higher courts; providing the procedure of said courts; providing for the membership of the Juvenile Board of Dallas County; containing a savings clause and declaring an emergency."

H. B. No. 890, A bill to be entitled "An Act to amend Article 4357 of the Revised Civil Statutes of Texas as amended by H. B. No. 419, Chapter 350, paragraph 1, Acts of the Regular Session of the Fifty-third Legislature, authorizing the Comptroller of Public Accounts to issue a warrant in payment of claims for Fifty Dollars (\$50) or less without an affidavit when the claimant certifies under the penalties of perjury that to the best of his knowledge and belief the claim is true and correct, repealing all laws in conflict herewith to the extent of such conflict; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 921 on Second Reading

On motion of Senator Willis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 921, A bill to be entitled "An Act relating to Tarrant County Water Control and Improvement District No. 1; etc., and declaring an emergency."

The bill was read second time.

Senator Willis offered the following amendment to the bill:

Amend House Bill No. 921 by striking out all of Sec. 11a.

The amendment was adopted.

On motion of Senator Willis and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to third reading.

House Bill 921 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 921 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The Presiding Officer then laid the

bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

**Motion to Place
House Bill 57 on Second Reading**

Senator Krueger asked unanimous consent to suspend the regular order of business and take up H. B. No. 57 for consideration at this time.

There was objection.

Senator Krueger then moved to suspend the regular order of business and take up H. B. No. 57 for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present):

Yeas—14

Ashley	Lock
Colson	Moore
Fuller	Parkhouse
Hardeman	Phillips
Kazen	Ratliff
Krueger	Reagan
Lane	Wood

Nays—12

Aikin	Moffett
Bracewell	Owen
Bradshaw	Roberts
Gonzalez	Rogers
Herring	Secrest
Hudson	Willis

Absent

Fly	Smith
Hazlewood	Weinert

Absent—Excused

Martin

(President in the Chair.)

Committee Substitute House Joint
Resolution 1 on Third Reading

Senator Aikin asked unanimous consent to suspend the regular order of business and take up C. S. H. J. R. No. 1 for consideration at this time.

There was objection.

Senator Aikin then moved to suspend the regular order of business and take up C. S. H. J. R. No. 1 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Moore
Ashley	Owen
Bracewell	Phillips
Bradshaw	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Moffett	Wood

Nays—7

Colson	Lock
Hardeman	Parkhouse
Krueger	Weinert
Lane	

Absent

Fly

Absent—Excused

Martin

The President laid before the Senate on its third reading and final passage:

C. S. H. J. R. No. 1, Proposing an amendment to Section 5 and 24 and authorizing a new Section of Article III of the Constitution of the State of Texas so as to provide for annual sessions of the Legislature; changing the compensation, per diem and travel expense of the members of the Legislature; authorizing temporary residence of the Lieutenant Governor and Speaker of the House in the Capitol; providing for an election; prescribing

the form of ballot and providing for the necessary proclamation and publication.

The resolution was read third time.

Senator Moffett offered the following amendment to the resolution:

Amend Committee Substitute for H. J. R. 1, Section 2, by adding after the Moffett amendment the following sentence:

"The Legislature shall not provide for any per diem for a greater number than one hundred twenty (120) days during the first regular session, sixty (60) days during the second regular session, and thirty (30) days during any called session."

The amendment was adopted by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Moffett	

Nays—1

Hardeman

Absent

Fly

Lock

Absent—Excused

Martin

Senator Bracewell offered the following amendment to the resolution:

Amend Committee Substitute for H. J. R. 1 by inserting the following at the end of Section 1:

"It shall not be in order for the second regular session of the Legislature to continue consideration of any bill pending upon adjournment of the first regular session."

The amendment was adopted by the following vote:

Yeas—26

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—2

Hardeman	Secrest
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Absent

Fly	Lock
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Absent—Excused

Martin

Senator Bracewell offered the following amendment to the resolution:

Amend Committee Substitute for H. J. R. 1 by changing the form of the ballot in Section 4 to read as follows:

"For the Constitutional Amendment providing for annual sessions of the Legislature, prescribing the compensation and expenses for members thereof, limiting the per diem for each session, and authorizing temporary residence of the Lieutenant Governor and Speaker of the House of Representatives in the Capitol."

"Against the Constitutional Amendment providing for annual sessions of the Legislature, prescribing the compensation and expenses for members thereof, limiting the per diem for each session, and authorizing temporary residence of the Lieutenant Governor and Speaker of the House of Representatives in the Capitol."

The amendment was adopted by the following vote:

Yeas—28

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Herring
Bradshaw	Hudson
Colson	Kazen
Fuller	Krueger
Gonzalez	Lane

Moffett	Roberts
Moore	Rogers
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood

Absent

Fly	Lock
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Absent—Excused

Martin

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

C. S. H. J. R. No. 1 was then finally passed by the following vote:

Yeas—22

Aikin	Moore
Ashley	Owen
Bracewell	Phillips
Bradshaw	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

Nays—7

Colson	Moffett
Hardeman	Parkhouse
Lane	Weinert
Lock	

Absent

Fly

Absent—Excused

Martin

Senate Resolution 515

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mrs. M. B. Grayson and Mrs. Robert E. Lyons, both from Lackland Air Force Base in San Antonio, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas

and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 516

Senator Owen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Albert Armendariz of El Paso; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented Mr. Armendariz to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 907, A bill to be entitled "An Act providing for a resident hunting license, non-resident or alien hunting license, non-resident migratory bird hunting license; providing for a fee for each license created hereunder; providing for exceptions; providing for the form of each license herein created; providing for the issuance of a duplicate license; providing for a fee to the issuing officer of all hunting licenses; providing for a deer tag; providing for the collection, deposition and use of all moneys collected because of this Act; providing for exemptions; prohibiting hunting under the license of another; requiring license holders to exhibit their license when requested by proper officer; providing for an effective

date of this Act; repealing all laws in conflict herewith; providing a penalty for violation of this Act; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bills on First Reading

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 915, To Committee on Game and Fish.

H. B. No. 916, To Committee on Game and Fish.

H. B. No. 924, To Committee on Game and Fish.

H. B. No. 721, To Committee on Game and Fish.

H. B. No. 890, To Committee on Game and Fish.

H. B. No. 928, To Committee on Game and Fish.

H. B. No. 931, To Committee on Game and Fish.

H. B. No. 937, To Committee on Game and Fish.

H. B. No. 749, To Committee on Game and Fish.

H. B. No. 751, To Committee on Game and Fish.

Report of Standing Committee

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 721, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

House Bill 721 Ordered Not Printed

On motion of Senator Weinert and

by unanimous consent H. B. No. 721 was ordered not printed.

Reports of Standing Committee

Senator Kazen by unanimous consent submitted the following reports:

Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 931, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 924, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

House Bill 924 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent H. B. No. 924 was ordered not printed.

House Bill 547 on Second Reading

On motion of Senator Hazlewood and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 547, A bill to be entitled "An Act amending Acts 1937, 45th Legislature, Page 161, Chapter 86, (codified as Article 1528b, Vernon's Annotated Civil Statutes) to authorize electric cooperatives to serve any rural area, any area which was a rural area when service was undertaken and any area now served by such corporation; authorizing such corporations to admit to membership any person desiring service in the area served by the corporation; providing a severability clause; repealing all laws and parts of laws in conflict

herewith; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend House Bill 547 by striking all below the enacting clause and inserting in lieu thereof, the following:

Section 1. That Section 3 of Acts 1937, 45th Legislature, Page 161, Chapter 86 (appearing as Article 1528b, Vernon's Annotated Civil Statutes) known as the Electric Cooperative Corporation Act, be amended so as to hereafter read as follows:

"PURPOSE

"Section 3. Cooperative, non-profit, membership corporations heretofore or hereafter organized under this Act are authorized to engage in rural electrification by any one or more of the following methods:

"(1) The furnishing of electric energy to any structure, apparatus or point of delivery located in a rural area."

"(2) The furnishing of electric energy to any structure, apparatus, or point of delivery which is located in an area which was a rural area when service was undertaken by said corporation, though such area subsequently, either by growth or annexation, becomes non-rural,

(A) If such structure, apparatus or point of delivery was being served with electric energy by said corporation at any time prior to the date the area became non-rural, or

(B) If such structure, apparatus or point of delivery is not actually receiving electric service from another supplier of electric energy which initially served such structure, apparatus or point of delivery; provided that a corporation may serve any structure, apparatus or point of delivery located in a service area defined in a franchise granted by the governing body of the city, town or village, provided, further, that if a franchise is granted by the governing body of the city, town or village, it shall not embrace or include an area not being served by the corporation at the time the area became non-rural by reason of growth or annexation, but such franchise may be extended to include any structure, apparatus or point of delivery not actually receiving electric service from

another supplier of electric energy as may be set out in such franchise or extension thereof, or"

(C) If on application electric energy is not otherwise available to such structure, apparatus, or point of delivery from some other supplier of central station service operating in such area.

"(3) The furnishing of electric energy to any structure, apparatus or point of delivery within the boundaries of any incorporated or unincorporated city, town, village or burough which does not have central station service from some other supplier."

"(4) Assisting in the wiring of the premises of persons in rural areas or the acquisition, supply or installation of electrical or plumbing equipment therein.

"(5) The furnishing of electric energy, wiring facilities, electrical or plumbing equipment, or services to any other corporation organized under this Act, or to the members thereof."

"(6) The furnishing of electric energy to persons, though they may already be receiving central station service in a rural or non-rural area, for delivery to any dwelling, structure, apparatus or point of delivery which is not receiving central station service and which is located in a rural area."

Section 2. That Section 12 of Acts 1937, 45th Legislature, Page 161, Chapter 86, (appearing as Article 1528b, Vernon's Annotated Civil Statutes) be amended so as to hereafter read as follows:

"Qualification of Members

"Section 12. All persons wheresoever they may reside to whose structure, apparatus or point of delivery a corporation is authorized to furnish electric energy under the terms of Section 3 shall be eligible to membership in a corporation. No person other than the incorporators shall be, become or remain a member of a corporation unless such person shall use or agree to use electric energy or, as the case may be, the facilities, suppliers, equipment and services furnished by a corporation. A corporation organize under this Act may become a member of another such corporation and may avail itself fully of the facilities and service thereof."

Section 3. Repealing Clause. All

statutes or parts of statutes in conflict with the provisions of this Act are hereby expressly repealed.

"Section 4. Effect upon Cities. All statutes or parts of statutes in conflict with the provisions of this Act are hereby expressly repealed; provided, that nothing herein shall be construed as affecting the provisions of Article 1436a, and provided further, that nothing in this Act shall be construed to affect the exclusive dominion and control every city, town, and village, however created, has or may have over its public streets, sidewalks, alleys, parks, public squares and public ways within its corporate limits; and all electric cooperative corporations shall comply with all charter or ordinance provisions applicable to electric and public utilities."

Section 5. Severability Clause. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

Section 6. Emergency Clause. The fact that the growth and development of the rural areas of this State have changed the status of many areas from rural to non-rural; that a recent decision of the Supreme Court construing this Act requires these clarifications; that the financing of additional lines and facilities by electric cooperatives may be rendered difficult or impossible for further expansion of electric service in the rural areas without such clarification, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Question—Shall the amendment by Senator Herring to H. B. No. 547 be adopted?

Recess

On motion of Senator Aikin the Senate at 12:07 o'clock p.m. took recess until 2:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

House Concurrent Resolution 13 on Second Reading

On motion of Senator Hardeman and by unanimous consent the President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 13, Requesting the Texas Legislative Council to study the Texas Constitution and make recommendations concerning revision and providing for the appointment of a Citizens Advisory Commission on the Constitution.

The resolution was read second time.

Senator Hardeman offered the following amendment to the resolution:

Amend H. C. R. 13, page 2, by striking out the following language beginning on line 4 and ending on line 7:

"Members of the Committee shall be reimbursed for actual traveling expenses from funds of the Texas Legislative Council when such members are traveling on official business" and inserting in lieu thereof the following:

"Members of the Committee shall not be reimbursed for any traveling expenses or receive any compensation out of any funds of this State."

The amendment was adopted.

Senator Hardeman offered the following amendment to the resolution:

Amend H. C. R. 13, page 2, line 10, by changing the comma after the word "progress" to a period and striking out the rest of such sentence.

The amendment was adopted.

The resolution as amended was then adopted.

House Bill 931 Ordered Not Printed

On motion of Senator Colson and by unanimous consent H. B. No. 931 was ordered not printed.

Senate Resolution 517

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 5th and 6th grade classes of the Granger Elementary School in Granger, Williamson County, Texas, accompanied by their teachers, Mr. Edward Michalik and Mrs. Martha Cerevenka; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to the class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Bill 423 with House Amendments

Senator Secrest called S. B. No. 423 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Secrest moved that the Senate concur in the House amendments.

The motion prevailed.

Reports of Standing Committee

Senator Owen by unanimous consent submitted the following reports:

Austin, Texas,
May 7, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 920, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 477, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Concurrent Resolution 46 on Second Reading

On motion of Senator Bradshaw and by unanimous consent the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 46, Providing for the Continuation of the Texas Surplus Property Agency in Fiscal Years 1957-58 and 1958-59.

The resolution was read and was adopted by the following vote:

Yeas—23

Aikin	Lock
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Secrest
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent

Fly	Phillips
Fuller	Rogers
Gonzalez	Smith
Moore	

Absent—Excused

Martin

Senate Concurrent Resolution 19 with House Amendments

Senator Parkhouse called S. C. R. No. 19 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 442 with House Amendments

Senator Secrest called S. B. No. 442 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Secrest moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent

Gonzalez	Smith
Moore	

Absent—Excused

Martin

Senate Resolution 518

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate Somerset High School Senior Class, accompanied by their sponsors, Mr. and Mrs. Bill James; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the class and sponsors to the Members of the Senate.

House Bill 547 on Second Reading

The President laid before the Senate H. B. No. 547 as pending business on its second reading with an amendment by Senator Herring pending.

Question—Shall the amendment by Senator Herring to H. B. No. 547 be adopted?

Senator Hazlewood moved to table the amendment by Senator Herring.

The amendment was tabled by the following vote:

Yeas—18

Aikin	Owen
Ashley	Parkhouse
Bracewell	Phillips
Fly	Ratliff
Fuller	Reagan
Hazlewood	Secrest
Kazen	Weinert
Lane	Willis
Moore	Wood

Nays—11

Bradshaw	Lock
Colson	Moffett
Gonzalez	Roberts
Hardeman	Rogers
Herring	Smith
Krueger	

Absent—Excused

Martin

Present—Not Voting

Hudson

Senator Hardeman offered the following amendment to the bill:

Amend Section 1 of H. B. 547 by

amending Section 3(2) thereof to read as follows:

“(2) The furnishing of electric energy to any dwelling, structure, apparatus or point of delivery which is located in an area which was a rural area when service was undertaken by said corporation, though such area subsequently, either by growth or by annexation, becomes non-rural,

“(a) if such dwelling, structure, apparatus or point of delivery was being served with electric energy by said corporation at any time prior to the date the area became non-rural, or

“(b) if such dwelling, structure, apparatus or point of delivery is not actually receiving electric service from some other supplier of electric energy which initially served such dwelling, structure, apparatus or point of delivery; provided that a corporation may serve any dwelling, structure, apparatus or point of delivery located in a service area defined in a franchise granted by the governing body of the city, town or village; provided further, that if a franchise is granted by the governing body of the city, town or village, it shall not embrace or include an area not being served by the corporation at the time the area became non-rural by reason of growth or annexation, but such franchise may be extended to include any dwelling, structure, apparatus or point of delivery not actually receiving electric service from another supplier of electric energy as may be set out in such franchise or extension thereof, or,

“(c) if on application electric energy is not otherwise available to such dwelling, structure, apparatus or point of delivery from some other supplier of central station service in such area”;

The amendment was read.

On motion of Senator Hazlewood the amendment was tabled by the following vote:

Yeas—18

Ashley	Parkhouse
Bracewell	Phillips
Fly	Ratliff
Fuller	Reagan
Hazlewood	Roberts
Hudson	Secrest
Kazen	Weinert
Lock	Willis
Owen	Wood

Nays—11

Aikin	Krueger
Bradshaw	Lane
Colson	Moffett
Gonzalez	Rogers
Hardeman	Smith
Herring	

Absent

Moore

Absent—Excused

Martin

Senator Herring offered the following amendment to the bill:

Amend H. B. 547, Section 3 by deleting the words "which applies only to unincorporated towns, which may thereafter become incorporated" which appear after the words "Article 1436A."

The amendment was read.

On motion of Senator Hazlewood the amendment was tabled by the following vote:

Yeas—17

Aikin	Parkhouse
Ashley	Phillips
Bracewell	Ratliff
Fly	Reagan
Fuller	Secrest
Hazlewood	Weinert
Lock	Willis
Moore	Wood
Owen	

Nays—13

Bradshaw	Krueger
Colson	Lane
Gonzalez	Moffett
Hardeman	Roberts
Herring	Rogers
Hudson	Smith
Kazen	

Absent—Excused

Martin

Senator Herring offered the following amendment to the bill:

Amend Section 1 of H. B. No. 547 by amending Section 3 (1) to read:

"(1) The furnishings of electric energy to any dwelling, structure, apparatus or point of delivery which is located in a rural area not receiving central station service at the time service therein is undertaken by the corporation."

The amendment was read.

On motion of Senator Hazlewood the amendment was tabled by the following vote:

Yeas—16

Aikin	Parkhouse
Ashley	Phillips
Bracewell	Ratliff
Fly	Reagan
Fuller	Secrest
Hazlewood	Weinert
Lock	Willis
Owen	Wood

Nays—14

Bradshaw	Krueger
Colson	Lane
Gonzalez	Moffett
Hardeman	Moore
Herring	Roberts
Hudson	Rogers
Kazen	Smith

Absent—Excused

Martin

Senator Lane offered the following amendment to the bill:

Amend H. B. No. 547 by adding after the word delivery in line 52 of the printed bill the following after deleting the period:

"and by central service being available means that same is furnished and connected for the same charge to the user as is paid by users who are connected to the water and sewerage systems of such city."

The amendment was read.

On motion of Senator Hazlewood the amendment was tabled by the following vote:

Yeas—15

Ashley	Parkhouse
Bracewell	Phillips
Fly	Ratliff
Fuller	Reagan
Hazlewood	Secrest
Lock	Weinert
Moore	Wood
Owen	

Nays—14

Aikin	Krueger
Bradshaw	Lane
Colson	Moffett
Gonzalez	Roberts
Hardeman	Rogers
Herring	Smith
Kazen	Willis

Absent—Excused**Martin****Present—Not Voting****Hudson**

The bill was passed to third reading.

House Bill 547 on Third Reading

Senator Hazlewood moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 547 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—2

Fuller	Parkhouse
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Absent—Excused**Martin**

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the final passage of H. B. No. 547.

Message from the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas,
May 8, 1957.

To the Members of the Fifty-Fifth Legislature:

Widespread damage has been inflicted on great areas of this State by the recent heavy rains and resultant floods. Your urgent attention is invited to the fact that these flood conditions should be made a matter of record, as an important part of the program of forecasting floods, developing combined water supply and flood control projects, and otherwise protecting and serving the public.

This information is particularly important now because record and near record crests have been established in wide areas, following immediately after one of the worst droughts in recorded history.

Twenty crews employed by the State Board of Water Engineers are now in the field for the purpose of hydrological investigations. However, full information cannot be obtained unless the Board of Water Engineers is provided additional funds, as appropriations for this purpose are virtually exhausted and the months of May and June are generally regarded as our higher rainfall months. The completion of this task will require sending additional crews to the field and incurring expense well beyond the Board's present budgeted funds.

Therefore, under the authority vested in me by the Constitution, I urge your emergency consideration of the appropriation of \$15,000 for additional hydrological investigations and \$10,000 for repairing flood damage to gauging stations, as supplemental emergency appropriations for the State Board of Water Engineers for the fiscal year ending August 31, 1957.

Respectfully submitted,
PRICE DANIEL
Governor of Texas

Report of Standing Committee

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B.

No. 937, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

House Bills on First Reading

The following bills received from the House were read first time and referred to the committees indicated:

H. B. No. 936, To the Committee on Counties, Cities and Towns.

H. B. No. 317, To the Committee on Counties, Cities and Towns.

House Bill 65 on Second Reading

Senator Lane asked unanimous consent to suspend the regular order of business and take up H. B. No. 65 for consideration at this time.

There was objection.

Senator Lane then moved to suspend the regular order of business and take up H. B. No. 65 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Lock
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Krueger	Willis
Lane	Wood

Nays—9

Ashley	Owen
Gonzalez	Reagan
Herring	Secrest
Hudson	Weinert
Kazen	

Absent

Smith

Absent—Excused

Martin

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 65, A bill to be entitled

"An Act to provide local option elections to determine continuance or abolition of a dual school system in each public school district in the State of Texas; requiring continuance of such dual school system until abolishment thereof be authorized by prior vote of the qualified electors in a school district; providing that a dual system may be maintained by arrangements for transfer and the educating of children in other public school districts; and declaring an emergency."

The bill was read second time.

Senator Hazlewood moved the previous question on the passage of H. B. No. 65 to third reading and the motion was duly seconded.

The previous question was ordered on the passage of H. B. No. 65 to third reading by the following vote:

Yeas—14

Aikin	Lane
Bracewell	Lock
Bradshaw	Moffett
Colson	Parkhouse
Hardeman	Roberts
Hazlewood	Smith
Krueger	Wood

Nays—13

Ashley	Owen
Fuller	Phillips
Gonzalez	Reagan
Herring	Rogers
Hudson	Secrest
Kazen	Willis
Moore	

Absent

Fly

Ratliff

Paired

Senator Weinert (present) who would vote Nay, with Senator Martin (absent) who would vote Yea.

H. B. No. 65 was passed to third reading.

Record of Votes

Senators Weinert, Secrest, Reagan, Owen, Kazen, Hudson, Herring, Gonzalez and Ashley asked to be recorded as voting "nay" on the passage of H. B. No. 65 to third reading.

**Motion to Place
House Bill 65 on Third Reading**

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 65 be placed on its third reading and final passage.

The motion was lost by the following vote: (not receiving four-fifths vote of the Members present)

Yeas—19

Aikin	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Roberts
Fuller	Rogers
Hazlewood	Smith
Krueger	Willis
Lane	Wood
Lock	

Nays—10

Ashley	Kazen
Gonzalez	Owen
Hardeman	Reagan
Herring	Secrest
Hudson	Weinert

Absent

Ratliff

Absent—Excused

Martin

House Bill 103 Re-referred

On motion of Senator Lane and by unanimous consent H. B. No. 103 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Education.

House Bill 18 on Third Reading

On motion of Senator Hardeman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its third reading and final passage:

H. B. No. 18, A bill to be entitled "An Act to more adequately provide for the effective regulation of traffic on highways for the purpose of improving traffic safety and the facilitation of vehicular traffic upon the roads of this State; etc., and declaring an emergency."

The bill was read third time.

Senator Hardeman offered the following amendment to the bill:

Amend H. B. 18, Sec. 1, by striking out all of Subsections 2 and 3 thereof.

The amendment was adopted by the following vote:

Yeas—27

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Moffett	

Absent

Fly Lock

Absent—Excused

Martin

Present—Not Voting

Hardeman

(Senator Lane in the Chair.)

Senator Owen offered the following amendment to the bill:

Amend House Bill 18, Section 1, by adding a new paragraph at the end of "Section 8, Subsection 1," page 3 of the printed bill to read as follows:

"No evidence obtained in determining the rate of speed at which any motor vehicle is at the time traveling on or being operated over any public highway, street, road or alley in this State in violation of Acts of 1927, Fortieth Legislature, page 321, Chapter 218, Section 1, as amended by Acts of 1929, Forty-first Legislature, Second Called Session, page 83, Chapter 47, Section 1, as amended by Acts of 1930, Forty-first Legislature, Fifth Called Session, page 239, Chapter 76, Section 1, (codified as Article 803a, Vernon's Annotated Penal Code of Texas), or the Acts of 1953, Fifty-third Legislature, page 669, Chapter 253, Section 1 (codified as Article

727a, Vernon's Annotated Code of Criminal Procedure of Texas), shall be admissible, for any purpose, against any person charged with the violation of this Act."

The amendment was adopted by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Fly

Absent—Excused

Martin

Present—Not Voting

Hardeman

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was finally passed.

(Senator Hardeman in the Chair.)

House Bill 895 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up H. B. No. 895 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up H. B. No. 895 for consideration at this time.

The motion prevailed by the following vote:

Yeas—24

Aikin	Bracewell
Ashley	Bradshaw

Fuller	Parkhouse
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Secrest
Lane	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood

Nays—4

Colson	Krueger
Hudson	Phillips

Absent

Fly Lock

Absent—Excused

Martin

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 895, A bill to be entitled "An Act requiring a fishing license of persons who fish; providing for exceptions; providing for a fee for a fishing license; providing a fee to compensate persons who issue fishing license; providing for exceptions; providing for the issuance of duplicate fishing licenses; prescribing the form for fishing licenses; designating who may issue fishing licenses; providing for disposition of license stubs and unused licenses; providing for the disposition of fines and license fees collected under this Act; prohibiting use of one's license by another; providing for an effective date of this Act; providing for a penalty for violation of this Act; repealing all laws in conflict with this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 895 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 895 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Bracewell
Ashley	Bradshaw

Fuller	Parkhouse
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Secrest
Lane	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood

Nays—4

Colson	Krueger
Hudson	Phillips

Absent

Fly	Lock
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Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Fly offered the following committee amendment to the bill:

Amend Section 6 of H. B. 895 by adding after the words "within this State" in line 11 the words "and for the opening of fish passes into the Gulf of Mexico."

The committee amendment was adopted by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—1

Colson

Absent—Excused

Martin

On motion of Senator Herring and by unanimous consent the caption was

amended to conform to the body of the bill as amended.

The bill as amended was then finally passed.

Record of Votes

Senators Bracewell, Krueger, Ratliff, Hudson, Phillips and Colson asked to be recorded as voting "Nay" on the final passage of H. B. No. 895.

Senate Resolution 519

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate Senior Agricultural College of Saltillo, Coahuila, Mexico, accompanied by their teacher and sponsor, Sr. Guillermo Narvaez and Glenn E. Garrett; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the distinguished guests to the Members of the Senate.

House Bill 290 on Second Reading

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 290, To the Committee on Counties, Cities and Towns.

Senate Bill 20 with House Amendments

Senator Hazlewood called S. B. No. 20 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Snator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent

Reagan

Absent—Excused

Martin

Reports of Standing Committees

Senator Owen by unanimous consent submitted the following report:
Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 290, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senator Reagan by unanimous consent submitted the following report:
Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 103, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Vice-Chairman.

Senate Resolution 520

Senator Aikin by unanimous consent offered the following resolution:

Whereas, It is the desire of the Senate to name Jo Betsy Kazen, daughter of our distinguished colleague, Senator Abraham Kazen, Jr. and Mrs. Kazen, Princess of the Senate; and

Whereas, This charming young lady would add beauty and charm to the block picture of the Senate; now, therefore, be it

Resolved, That Jo Betsy Kazen be named Princess of the Senate and that her photograph be included in the block picture of the Senate, and a copy of this resolution be sent to Miss Kazen.

AIKIN
HARDEMAN

The resolution was read and was adopted.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 582, To the Committee on Counties, Cities and Towns.

H. B. No. 932, To the Committee on Water and Conservation.

H. B. No. 244, To the Committee on Counties, Cities and Towns.

H. B. No. 358, To the Committee on State Affairs.

H. B. No. 24, To the Committee on State Affairs.

H. B. No. 477, To the Committee on State Affairs.

H. C. R. No. 92, To the Committee on State Affairs.

H. C. R. No. 86, To the Committee on State Affairs.

H. C. R. No. 93, To the Committee on State Affairs.

H. B. No. 935, To the Committee on Counties, Cities and Towns.

H. B. No. 324, To the Committee on Education.

H. B. No. 919, To the Committee on Military and Veterans Affairs.

H. B. No. 691, To the Committee on State Affairs.

House Bill 937 Ordered Not Printed

On motion of Senator Phillips and by unanimous consent H. B. No. 937 was ordered not printed.

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 932, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

House Bill 169 on Second Reading

On motion of Senator Bracewell and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 169, A bill to be entitled "An Act establishing and providing for a State mental hospital; regulating and providing for the operation of same; and declaring an emergency."

The bill was read second time.

Senator Fly offered the following amendment to the bill:

Amend House Bill 169 by striking all below the enacting clause and substituting the following:

Statement of Purposes and Public Policies

Section 1. It is the sense of the Legislature that the Board for Texas State Hospitals and Special Schools be authorized to establish such out-patient clinics for treating the mentally ill as such Board deems necessary and as funds for their operation are made available; and that a total mental health program be established in a given area of this State which shall consist of the following: 1) An area or community hospital of approximately sixty (60) beds to be used for treating the mentally ill and for research, training, and education in treating mental illness and an out-

patient clinic which may be operated in conjunction with the community hospital; the out-patient clinics to be authorized and the community hospital and clinic to be provided for in this Act; and 2) A separate larger mental hospital of approximately five hundred (500) beds.

Authorization for Out-patient Clinics

Section 2. The Board for Texas State Hospitals and Special Schools is authorized to establish out-patient clinics for treatment of the mentally ill in such locations as deemed necessary by said Board and as money for their operation shall be made available. The Board shall acquire facilities, provide a staff, make rules and regulations, and make contracts with persons, corporations, and agencies of local, state, and federal governments as shall be necessary for the establishment and operation of said clinics.

Establishment of Community or Research Hospital

Section 3. There shall be constructed, established, and maintained an area or community hospital of approximately sixty (60) beds to be used in treating the mentally ill and for research, training, and education in mental illness and an out-patient clinic which may be operated in conjunction with the community hospital. Such hospital and clinic shall be located within a city where a recognized medical center is located and operating. The Board for Texas State Hospitals and Special Schools shall designate the city and select a site or sites therein for the location of said community hospital and out-patient clinic. Such site or sites shall be accessible and convenient to the local medical center and shall contain sufficient land served by adequate utilities to meet the requirements of said hospital and out-patient clinic. Said Board shall take title to the land or lands so selected by them in the name of the State of Texas for the use and benefit of said hospital and clinic; provided, that the Attorney General's Department shall first approve the title to the land or lands so selected by the Board.

Location and Construction of Mental Hospital

Section 4. The Board for Texas State Hospitals and Special Schools shall select the site for said mental

hospital, and the Board, in selecting such site, shall make such selection with a view to its accessibility and convenience to the greatest number of inhabitants and available medical facilities, and the same shall contain sufficient land and have utilities readily available. Said Board shall take title to the land so selected by them in the name of the State of Texas for the use and benefit of said hospital; provided, however, that the Attorney General's Department shall first approve the title to the land so selected by the Board. There shall be constructed upon said grounds so selected permanent, suitable, substantial, and fireproof buildings sufficient in all respects to be used for the treatment of the mentally ill; said buildings are to be provided with modern improvements for furnishing water, heat, ventilation, and sewage.

Preparation of Plans

Section 5. The Board for Texas State Hospitals and Special Schools shall proceed, within the limits of legislative appropriation of funds to prepare plans and specifications for said buildings, and said Board shall have the power and authority to do and perform all things necessary for carrying out the purposes of this Act.

Personnel; patients

Section 6. Upon the completion of the building and facilities for either or both of said research hospital or the larger separate mental hospital, the Board for Texas State Hospitals and Special Schools shall appoint such personnel as are necessary to operate and maintain such hospital and clinic and to adequately treat such patients as are admitted, within the limits of legislative appropriations. The Board for Texas State Hospitals and Special Schools shall admit patients to the area or community hospital and shall provide for their care and maintenance under the same applicable laws, rules and regulations as govern the admission and care of mentally ill persons provided for in the General Laws of the State of Texas governing institutions for the care of the mentally ill. The outpatient clinic shall be operated under such rules and regulations as the Board may promulgate.

The Board for Texas State Hospitals and Special Schools is hereby authorized, in its discretion, to operate and maintain such hospital and

clinic as a part of such other hospital as may be constructed or operated by the Board.

Appropriation

Section 7. There is hereby appropriated to the Board for Texas State Hospitals and Special Schools such federal funds as the U. S. Government may grant for the construction of such buildings, and such other funds as may be given or granted by any State agency or individual, and said Board is authorized and directed to obtain and expend such funds as are available for this project.

Temporary Facilities

Section 8. Until such hospital and clinic is constructed, the Board for Texas State Hospitals and Special Schools is hereby authorized to rent such temporary facilities as are available and necessary for the establishment of research, training, and treatment activities at such location or locations as may be selected by the Board.

Contracts

Section 9. The Board for Texas State Hospitals and Special Schools is authorized to make contracts with such persons, corporations or agencies of state, local, and federal governments as said Board deems proper and necessary to effect the purposes of this Act.

Emergency

Section 10. The importance of this legislation creates an emergency and a case of imperative public necessity; therefore, the Constitutional Rule requiring bills to be read on three several days in each House is suspended, and this Act shall take effect on September 1, 1957.

The amendment was adopted.

On motion of Senator Bracewell and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 169 on Third Reading

Senator Bracewell moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 169 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent—Excused

Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 932 Ordered Not Printed

On motion of Senator Willis and by unanimous consent H. B. No. 932 was ordered not printed.

Special Notice

Senator Secrest gave notice that he would on tomorrow move to suspend the necessary rules to take up for consideration H. B. No. 265.

Adjournment

On motion of Senator Lane the Senate at 4:57 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

In Memory of

Mrs. Ambrose A. Lukovich

Senator Phillips offered the following resolution:

(Senate Resolution 507)

Whereas, Our Heavenly Father in His infinite wisdom did on the 4th day of May, 1957, call from her earthly home Mrs. Ambrose A. Lukovich, a beloved citizen of Galveston, Texas; and

Whereas, Mrs. Lukovich, the former Miss Woodie Leete Cox, born in Palestine, Texas, was the wife of the former Galveston Police Commissioner Ambrose A. Lukovich, and had been a resident of Galveston for thirty years; and

Whereas, Mrs. Lukovich was a member of St. Patrick's Parish in Galveston, and had lived many useful years and observed in her daily living the highest principles of Christianity and charity and the influence of her useful and fruitful life will forever be felt by those who were privileged to know her; and

Whereas, Mrs. Lukovich is survived by two children, Miss Martha Lukovich of Galveston, and Mrs. Corine Talamas of Kissenger, Germany; a sister, Mrs. R. L. Wallace of La Marque, and two grandchildren; now, therefore, be it

Resolved, That it is the desire of the Senate of the 55th Legislature to pay tribute to this fine citizen and to her family; and, be it further

Resolved, That when the Senate adjourns today, it do so in her memory; that a page in the permanent Senate Journal be devoted to the recording of this resolution; and that enrolled copies of this resolution be forwarded to the surviving members of her family as a token of respect and sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of

Jim Gaddy Norris

Senator Willis offered the following resolution:

(Senate Resolution 509)

Whereas, On 3 May, 1957, the people of Texas lost a faithful and devoted religious and civic leader in the untimely passing of Jim Gaddy Norris of Fort Worth; and

Whereas, Jim Gaddy Norris was born in Waco, Texas, in 1907 but moved to Fort Worth, Texas, at the age of seven and resided there for the remaining forty-three years of his life, raising his family, and taking an active part in civic and religious affairs; and

Whereas, Jim Gaddy Norris practiced law in Fort Worth for fifteen years before retiring in 1950 to devote his full time to religious work with his father, the late J. Frank Norris, until ill health forced him to retire; and

Whereas, Jim Gaddy Norris was a devoted husband, loving father, considerate neighbor and numbered his friends from all walks of life who benefited by his dedication to his God and country; now, therefore, be it

Resolved, By the Senate of Texas, that a page in the Senate Journal be set aside as a memorial to Jim Gaddy Norris, and that official copies of this resolution be sent to members of his family as a tribute to his life; and be it further

Resolved, That when the Senate adjourns today, it do so in honor and in memory of Jim Gaddy Norris.

The resolution was read and was adopted by a rising vote of the Senate.